

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JAMES ROY SHARPLIN

Plaintiff,

v.

3:06-cv-95

SHERIFF DAVID DAVENPORT,

Defendant.

**JUDGMENT ORDER**

For the reasons stated in the court's Memorandum and Order, the court **ORDERS** that this action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

**E N T E R:**

s/ Thomas W. Phillips  
United States District Judge